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P A T E N T

Attorney Docket No.  
33082 M 098

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:	)	<b>CONFIRMATION NO.: 8726</b>
	)	
<b>Kazunari SAKATA, et al.</b>	)	
	)	
U.S. Serial No.: 09/934,756	)	Group Art Unit: 3749
	)	
Filed: August 23, 2001	)	Examiner: Jiping Lu
For: HEAT TREATMENT SYSTEM AND METHOD FOR COOLING A LOADING CHAMBER (as amended)		

**LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached is a copy of a U. S. Patent and Trademark Office Communication mailed on December 19, 2005 and recently received. The Communication asserts that Applicants' Information Disclosure Statement (IDS) as submitted on October 4, 2005 failed to comply with 37 C.F.R. § 1.97(c) for the reason that it lacked the fee set forth under 37 C.F.R § 1.17(p). This assertion regarding the October 4, 2005 IDS is incorrect.

Please note that the October 4, 2005 IDS submits a partial European Search Report issued on September 2, 2005. Thus, in accordance with the statement under 37 C.F.R. § 1.97(e) as incorporated into the October 4, 2005 IDS, the IDS submits the partial European Search Report within three months of the European Search Report mailing date. On October 4, 2005, this application was pending with action awaited on Applicants' Amendment of September 14, 2005.

This application was not allowed until the day after the October 4, 2005 IDS was filed, namely October 5, 2005. Please refer to the mailing date on the also attached copy of the Notice of Allowance and Fee(s) Due. Hence, no government fee in addition to the statement under 37 C.F.R. § 1.97(e) was necessary with the October 4, 2005 IDS. The October 4<sup>th</sup> IDS, and each document cited thereby, should be considered fully and entered within the official file. Favorable action in this regard earnestly is solicited.

Respectfully submitted,  
SMITH, GAMBRELL & RUSSELL, LLP

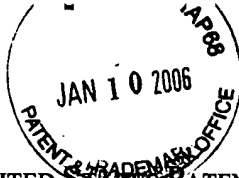
By:



Michael A. Makuch, Reg. No. 32,263  
1850 M Street, N.W., Suite 800  
Washington, D.C. 20036  
Telephone: (202)263-4300  
Facsimile: (202) 263-4329

Attachments

Dated: January 10, 2006



033082-098

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,756	08/23/2001	Kazunari Sakata	33082M098	8726

7590 12/19/2005

Smith, Gambrell & Russell, LLP  
Beveridge, DeGrandi, Weilacher & Young  
Intellectual Property Group  
1850 M Street, N.W., Suite 800  
Washington, DC 20036

EXAMINER
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LU, JIPING

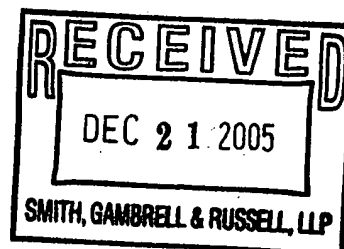
ART UNIT	PAPER NUMBER
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3749

**COPY**

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**DEC**



**UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09-934-756

EXAMINER
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ART UNIT	PAPER
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11303005

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

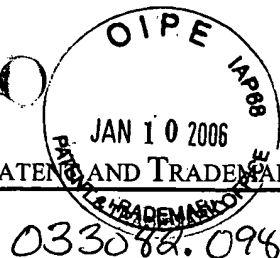
**Commissioner for Patents**

1. The information disclosure statement filed 10/4/2005 fails to comply with 37 CFR 1.97(c) because it lacks the fee set forth in 37 CFR 1.17(p). It has been placed in the application file, but the information referred to therein has not been considered.
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jiping Lu whose telephone number is 571 272 4878. The examiner can normally be reached on Monday-Friday, 9:00 AM - 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EHUD GARTENBERG can be reached on 571 272-4828. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jiping Lu  
Primary Examiner  
Art Unit: 3749



UNITED STATES PATENT AND TRADEMARK OFFICE



Issue/Publication Fees due 1/5/06  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

MAM

## NOTICE OF ALLOWANCE AND FEE(S) DUE

7590 10/05/2005  
Smith, Gambrell & Russell, LLP  
Beveridge, DeGrandi, Weilacher & Young  
Intellectual Property Group  
1850 M Street, N.W., Suite 800  
Washington, DC 20036

**COPY**

EXAMINER

LU, JIPING

ART UNIT

PAPER NUMBER

3749

DATE MAILED: 10/05/2005

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,756	08/23/2001	Kazunari Sakata	33082M098	8726

TITLE OF INVENTION: VERTICAL HEAT TREATMENT SYSTEM, METHOD FOR CONTROLLING VERTICAL HEAT TREATMENT SYSTEM, AND METHOD FOR TRANSFERRING OBJECT TO BE TREATED

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	01/05/2006

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

